

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISON

Wendy Iacobucci,) 2:18-CV-00152-DCN-BM
)
 Plaintiff,)
) **PLAINTIFF'S MOTION TO COMPEL
 AND SET REASONABLE FEE FOR
 DEPOSITION OF DEFENDANTS'
 EXPERT WITNESS**
 vs.)
)
 Town of Bonneau, Bonneau Police)
 Department, and Franco Fuda)
)
 Defendants.)

The Plaintiff hereby moves to compel the deposition of Defendants' expert witness, Major Brian Batterton, and to set a reasonable fee for his deposition pursuant the Federal Rules of Civil Procedure and cases interpreting the same. The Plaintiff also submits the attached memorandum in support of this motion. The Plaintiff respectfully requests that the Court issue an Order requiring Maj. Batterton to proceed with his deposition as scheduled without insisting on prepayment of a \$2,500.00 flat fee; requiring Maj. Batterton to submit an invoice to Plaintiff's counsel following the conclusion of his deposition based upon the amount of time actually spent being deposed at a reasonable rate of \$250.00 per hour; and allowing the Plaintiff to proceed with depositions and discovery in this case without regard to the status of the pending Motion to Amend the Complaint.

(signatures on following page)

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s/ Christy R. Fargnoli

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